

Art Unit: 1637

### EXAMINER'S AMENDMENT

The applicant's amendment filed 12/08/06 to the Office action has been entered. Claims 1-9, 11-17, 19-29, 31-40, 47-48, 50-54, 56-62 are pending.

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Brian Heaney on 3/2/07.

2. The application has been amended as follows:

SME 3/20/07 In claim 1, line ~~12~~<sup>15</sup>, delete "are which".

SME 3/20/07 In claim 1, line ~~13~~<sup>14</sup>, delete "contains", and therefore substitute - containing --.

3. The following is an examiner's statement of reasons for allowance:

Concerning claims 1-9, 11-17, 19-29, 31-40, 47-48, 50-54, and 56-62, no prior art has been found teaching or suggesting the rare-earth metal cryptate of formula I recited in claim 1; which is covalently bonded to an oligonucleotide.

The closest prior art is the reference of Sessler et al. Sessler et al. disclose that the metal complex is covalently coupled with amine, thiol or hydroxyl linked to oligonucleotides (See column 8, lines 5-9 or Fig. 3A-3C). However, the metal complex does not have the chemical structure as recited in claim 1.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue